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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,929	12/31/2001	Venkatachari Dilip	CE1-004US	3798
29150	7590	07/13/2006	EXAMINER	
LEE & HAYES, PLLC 421 W. RIVERSIDE AVE, STE 500 SPOKANE, WA 99201			GREIMEL, JOCELYN	
			ART UNIT	PAPER NUMBER
			3693	
DATE MAILED: 07/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,929

Applicant(s)

DILIP ET AL.

Examiner

Jocelyn W. Greimel

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to Applicant's application filed December 31, 2001, a continuation in part of application 09/665,919 of September 20, 2000 and the preliminary amendment of March 28, 2003. Claims 1-44 are being examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Gross (US Patent No. 6,721,716).** In reference to claim 1, Gross discloses a method comprising: receiving account access information from a user (col. 4, lines 23-38); accessing the account using the received access information (col. 4, lines 39-59); harvesting data from a web page associated with the account and authenticating the user's ability to access the account based on the obtained information (col. 4, lines 60-67; col. 5, lines 1-13).

Art Unit: 3624

4. In reference to claims 2-4 and 11, Gross discloses: determining a risk associated with the user (col. 4, lines 39-59); verifying a user identity based on information provided by the user (col. 4, lines 39-59); verifying a user identity based on information provided by a credit reporting service and further authenticating the user's ability to access the financial account by requesting a cancelled check (col. 14, lines 15-64, "verification ... is likely to vary somewhat from one service provider to another").

5. In reference to claims 5 and 6, Gross discloses handling financial transactions: initiated by the user and associated with the account (col. 8 – col. 9) and initiated by the user and associated with the account if the user's ability to access the account is authenticated (col. 8 – col. 9).

6. In reference to claims 7 and 8, Gross discloses the method wherein authenticating the user's ability to access the account includes verifying the user's social security number or driver's license number (col. 13, lines 25-35). In reference to claim 9 and 10, Gross discloses initiating a trial deposit into the account to further authenticate the user's ability to access the account wherein the account is a financial account (col. 15, lines 1-17).

7. In reference to claims 12 and 23, Gross discloses a method and medium of computer-readable memories containing a computer program that is executable by a processor to perform the method of receiving data, accessing an account and verifying user's ability to access the account (col. 2, lines 64-67; col. 3, lines 1-16).

8. In reference to claims 13-22, Gross discloses a method comprising: receiving financial account access information from a user (col. 4, lines 23-38); obtaining

information regarding the financial account from a financial data source and authenticating the user's ability to access the financial account based on the obtained information (col. 4, lines 23-67; col. 5, lines 1-13). In reference to claim 14-22, Gross is applied to the claims as described above in reference to claim 1 and further in reference to claims 2-12.

9. In reference to claim 24, Gross discloses a method of authenticating a user's ability to access a financial account, the method comprising: making a first transfer associated with the financial account; requesting the user to identify the amount of the first transfer; confirming the user's ability to access the financial account if the user correctly identifies the amount of the first transfer; and denying the user's ability to access the financial account if the user does not correctly identify the amount of the transfer (col. 15, lines 1-17). Claims 27 and 28 are disclosed by Gross as a simple, multiple application of claim 24 above (col. 14, lines 15-64, "verification ...is likely to vary somewhat from one service provider to another").

10. In reference to claims 25 and 26, Gross discloses a method of authenticating a user's ability to access a financial account as detailed in claim 24 wherein: the first transfer is a credit transfer; the first transfer is a debit transfer ("ACH transactions... or other completed electronic transfer transactions") (col. 15, lines 1-17).

11. In reference to claims 29 and 30, Gross discloses a method of authenticating a user's ability to access a financial account, comprising: harvesting data from a web page associated with the financial account and authenticating the user's ability to access the financial account based on data harvested from the web page associated

Art Unit: 3624

with the financial account (col. 4, lines 23-67; col. 5, lines 1-13); retrieving data from a financial data server associated with the financial account and authenticating the user's ability to access the financial account based on data retrieved from the financial data server associated with the financial account (col. 4, lines 23-67; col. 5, lines 1-13).

12. In reference to claim 31, Gross discloses a computer-implemented method comprising: receiving account access information from a user (col. 4, lines 23-38); receiving user identification information from the user; obtaining information regarding the account (col. 4, lines 23-59); comparing the information obtained regarding the account with the identification information received from the user (col. 4, lines 23-67; col. 5, lines 1-13); authorizing the user to access the account if the information obtained regarding the account matches the identification received from the user (col. 4, lines 23-67; col. 5, lines 1-13).

13. In reference to claims 32-35 and 40-43, Gross discloses a computer-implemented method wherein: the user identification information includes the user's name; the user's account number; the user's mailing address; preventing the user from accessing the account if the information obtained regarding the account does not match the identification information received from the user (col. 4, lines 23-38).

14. Regarding claims 36-38, Gross discloses a method wherein: obtaining information regarding the account includes obtaining information from a financial data source; obtaining information regarding the account includes harvesting data from a web page associated with the account; the account is a financial account providing online user access (col. 4, lines 60-67; col. 5, lines 1-13).

Art Unit: 3624

15. Regarding claim 39, Gross discloses a method comprising: receiving account information from a user (col. 4, lines 23-38); wherein the account can be accessed via an online connection; receiving user identification information from the user; obtaining information regarding the account via an online connection; comparing the information obtained regarding the account with the identification information received from the user; and authorizing the user to execute actions with respect to the account if the information obtained regarding the account matches the identification information received from the user (col. 4, lines 23-67; col. 5, lines 1-13).

16. Regarding claim 44, Gross discloses a user authorization method wherein obtaining information regarding the account includes harvesting data from a web page associated with the account (col. 4, lines 60-67; col. 5, lines 1-13; col. 9, lines 18-45).

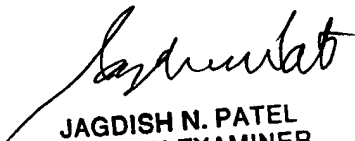
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached Monday - Friday 8:30 AM - 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JAGDISH N. PATEL
PRIMARY EXAMINER

Jocelyn Greimel
Examiner
July 10, 2006